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6 **UNITED STATES DISTRICT COURT**  
 7 **DISTRICT OF NEVADA**

8 **-oO-**

9 UNITED STATES OF AMERICA, )  
 10 Plaintiff, ) 2:13-mj-000776-VCF  
 11 vs. )  
 12 ) **Stipulation to Continue Preliminary**  
 13 ROBERT WOLFE, ) **Hearing (Ninth Request)**  
 14 Defendant. )  
 \_\_\_\_\_)

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 16 **IT IS HEREBY STIPULATED AND AGREED**, by and between Daniel G.  
 17 Bogden, United States Attorney, and Cristina D. Silva and Crane M. Pomerantz, Assistant United  
 18 States Attorneys, counsel for the United States of America, and Louis Schneider, Esq., counsel for  
 19 defendant Robert Wolfe, that the preliminary hearing date in the above-captioned matter, currently  
 20 scheduled for January 20, 2014, at 4:00 pm, be vacated and continued for thirty (30) days, to a  
 21 date and time to be set by this Honorable Court.

22 This stipulation is entered into for the following reasons:

23 1. The parties have met, and, on several occasions, conferred regarding this  
 24 case. The parties believe they have successfully negotiated this case. Defense counsel would like  
 25 time to complete his review of discovery and confer with his client to finalize a plea. By allowing  
 26 more time, the Defendant may enter a plea, which will alleviate the need for an indictment to be

1 filed, or for the case to proceed to trial.  
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2. The parties agree to the continuance.
3. The defendant is not incarcerated and does not object to the continuance.
4. Additionally, denial of this request for continuance could result in a  
miscarriage of justice.

5  
6 5. The additional time requested herein is not sought for purposes of delay, but  
to allow for the case be resolved via a pre-indictment plea.

7  
8 6. The additional time requested by this stipulation, is allowed, with the  
defendant's consent under the Federal Rules of Procedure 5.1(d).

9  
10 DATED this 20<sup>th</sup> day of January, 2015.

11  
12 Respectfully submitted,  
13 DANIEL G. BOGDEN  
United States Attorney

14 //s//

//s//

15 LOUIS SCHNEIDER, ESQ.  
Counsel for Defendant -  
ROBERT WOLFE

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17 CRANE M. POMERANTZ  
18 Assistant United States Attorney  
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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA  
**-oO-**

UNITED STATES OF AMERICA, )  
Plaintiff, ) 2:13-mj-00776-VCF  
vs. )  
ROBERT WOLFE, )  
Defendant. )  
\_\_\_\_\_  
)

**FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore,  
the Court finds that:

1. The parties have met, and, on several occasions, conferred regarding this case. The parties believe they have successfully negotiated this case. Defense counsel would like time to complete his review of discovery and confer with his client. By allowing more time, the Defendant may enter a plea, which will alleviate the need for an indictment to be filed, or for the case to proceed to trial.

2. The parties agree to the continuance.

3. The defendant is not incarcerated and does not object to the continuance.

4. Additionally, denial of this request for continuance could result in a

miscarriage of justice.

5. The additional time requested herein is not sought for purposes of delay, but to allow for the case be resolved via a pre-indictment plea.

6. The additional time requested by this stipulation, is allowed, with the defendant's consent under the Federal Rules of Procedure 5.1(d).

7. This is the ninth request for a continuance of the preliminary hearing.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the preliminary hearing date.

## **CONCLUSIONS OF LAW**

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for the preliminary hearing, and possibly resolve the case prior to the preliminary hearing or an indictment, taking into account the exercise of due diligence.

The continuance sought herein is allowed, with the defendant's consent, pursuant to Federal Rules of Procedure 5.1(d).

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## **ORDER**

IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled for January, 2014, at the hour of 4:00 pm, be vacated and continued to February 20, 2015 at the hour of 4:00 pm in courtroom 3D.

DATED 20th day of January, 2015.

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THE HONORABLE CAM FERENBACH  
UNITED STATES MAGISTRATE JUDGE